

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT SCHOELZEL,

No. C v-08-3113 EDL

Plaintiff(s),

**DECLINATION TO PROCEED BEFORE
A MAGISTRATE JUDGE**

v.

ASBESTOS DEFENDANTS, ET AL.

**AND
REQUEST FOR REASSIGNMENT TO A
UNITED STATES DISTRICT JUDGE**

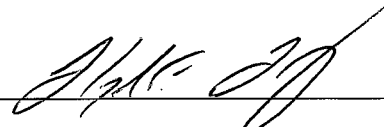
Defendant(s).

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: 7-17-08

Signature


Counsel for Plaintiff-Schoelzel
(Plaintiff, Defendant, or indicate "pro se")

PROOF OF SERVICE

I am employed in the County of Marin, State of California. I am over the age of 18 years and am not a party to the within action. My business address is 222 Rush Landing Road, Novato, California 94948-6169.

On July 17, 2008 I served the attached:

**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND
REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

**Robert Schoelzel v. Asbestos Defs.
U.S.D.C -Northern Dist. Case No CV 08-3113**

on the interested parties in this action by transmitting a true copy thereof in a sealed envelope, and each envelope addressed as follows:

CARRIER CORPORATION

Evan C. Nelson, Esq.
Lillian C. Ma, Esa.
Tucker Ellis & West LLP
135 Main Street, Ste. 700
San Francisco, CA 94105
(415) 617-2400

XXX BY OFFICE MAILING: I am readily familiar with this office's practice of collection and processing correspondence, pleadings and other matters for mailing with the United States Postal Service on that same day with postage thereon fully prepaid at Novato, California in the ordinary course of business. I placed in the outgoing office mail, the above-described document(s), in a sealed envelope, addressed to the party(ies) as stated above, for collection and processing for mailing the same day in accordance with ordinary office practices.

Executed this July 17, 2008 at Novato, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

JANE A. EHNI

BRAYTON ♦ PURCELL
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